

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

PHILLIPPI S. LOWE,)	
)	
Plaintiff,)	
)	
v.)	2:07-CV-00029-WKW
)	
MONTGOMERY CITY OF ALABAMA,)	
)	
Defendant.)	

ORDER ON MOTION

Upon referral of this case for action on all pretrial matters and for recommendation as may be appropriate (Doc. 3), the undersigned Magistrate Judge considers Plaintiff's *Motion to Proceed In forma Pauperis* (Doc. 2, January 9, 2007). The court wishes the Plaintiff to understand *fully* the limited nature of being allowed to proceed *in forma pauperis*. This status does permit the Plaintiff to *commence* this lawsuit without *prepayment* of fees and court costs, but it does not permit the Plaintiff to maintain the lawsuit without incurring any personal expenses.

The Plaintiff should understand that he *may* incur expenses as a result of the prosecution of this case, and there is no provision for the court's payment of those expenses. For example, in the event of a trial, the Plaintiff may compel the attendance of witnesses through subpoena *only* by tendering to each witness payment of a one-day witness fee of \$40, plus mileage. Additionally, court costs, in varying amounts, can be very substantial, and they are normally assessed against the losing party. This means that a plaintiff who loses a

case may be charged with, and obligated to pay, *all* court costs, even though the plaintiff is proceeding *in forma pauperis*.

Having advised the Plaintiff of the possible expense of litigation, it is **ORDERED** that the *Motion to Proceed In Forma Pauperis* (Doc. 2) is **GRANTED**.

DONE this 18th day of January, 2007.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE